IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI CENTRAL DIVISION

| LESTER HERRON, |) |
|--------------------------|-----------------------------|
| Plaintiff, |)) |
| V. |) Case No. 05-4268-CV-C-NKL |
| WILLIAM LENHART, et al., |)) |
| Defendants. |) |
| |) |
| | , |

ORDER

The Court has previously dismissed all of Plaintiff Lester Herron's ("Herron") claims except a single count of false imprisonment against Defendant Donald R. Tyes ("Tyes") [Docs. ## 28, 31]. Tyes has moved for summary judgment on the grounds of qualified immunity [Doc. # 46]. Herron has failed to respond to Tyes's Motion despite requesting and receiving two extensions of time to due so. For the reasons set forth in Tyes's Motion, Summary Judgment is GRANTED in favor of Defendant Tyes.

IT IS SO ORDERED.

s/ Nanette K. Laughrey
NANETTE K. LAUGHREY
United States District Judge

Dated: <u>September 25, 2006</u> Jefferson City, Missouri